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12 Attorneys for Kyle Everett,
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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re Case No. 20-30819-DM

BENJA INCORPORATED, Chapter 7

Debtor.

**APPLICATION FOR ORDER
AUTHORIZING EMPLOYMENT OF
TAX ATTORNEYS (NEWPOINT LAW
GROUP, LLP)**

Pursuant to § 327 and Bankruptcy Rule 2014,¹ Kyle Everett (the “Trustee”), trustee in bankruptcy of the estate of the above-captioned Debtor, files this *Application for Order Authorizing Employment of Tax Attorneys (NewPoint Law Group, LLP)* and in support thereof represents:

1. The Trustee is the duly appointed, qualified, and acting trustee in bankruptcy in this case.

¹ Unless specified otherwise, all chapter and code references are to the Bankruptcy Code, 11 U.S.C. §§ 101–1532. “Bankruptcy Rule” references are to the Federal Rules of Bankruptcy Procedure.

1 2. The Trustee wishes to retain NewPoint Law Group, LLP ("Proposed Tax
2 Attorneys") as his tax advisors to investigate Debtor's tax filing history and prepare state and
3 federal corporate tax returns as needed to ensure compliance with taxing authorities.

4 3. The Trustee believes that hiring tax counsel is necessary and wishes to retain the
5 Proposed Tax Attorneys based on their expertise in tax law and related services. The Trustee has
6 considered the facts in this case and determined that employing the Proposed Tax Attorneys is in
7 the best interests of the estate.

8 4. To the best of the Trustee's knowledge, the Tax Attorneys have no connection
9 with the Debtor, creditors, or any other party in interest, their respective attorneys and/or
10 accountants, the United States Trustee, or any person employed in the Office of the United States
11 Trustee, except as set forth in the concurrently filed declaration of Stephan M. Brown in support
12 of this application (the "Declaration"). The Proposed Tax Attorneys do not presently represent
13 any interest adverse to the Trustee or to the estate, except as set forth in the Declaration. The
14 Proposed Tax Attorneys are a disinterested person.

15 5. Subject to the provisions of the Bankruptcy Code, the Bankruptcy Rules, the
16 Guidelines, and the rules and rulings of this Court, the Trustee proposes to pay the Proposed Tax
17 Attorneys their customary hourly rates in effect from time to time and to reimburse the Proposed
18 Tax Attorneys for their expenses according to its customary reimbursement policies. The
19 Proposed Tax Attorneys hourly rates range from \$300-\$450 per hour. Generally, the Proposed
20 Tax Attorneys' rates are subject to change from time to time, but generally not more than once
21 per year. The Proposed Tax Attorneys have not shared or agreed to share compensation with any
22 entity.

23 6. The hourly rates charged by the Proposed Tax Attorneys is no less favorable than
24 the rate charged for non-court appointed services.

25 7. The Proposed Tax Attorneys are in compliance with the *Guidelines for*
26 *Compensation and Expense Reimbursement of Professionals and Trustees* dated February 19,
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1 2014. They do not charge for its word processing. Online research searches and services are
2 charged at cost.

3 8. A partially signed engagement agreement is appended as **Exhibit A** to the
4 attached supporting declaration of Stephan M. Brown, managing partner of the Proposed Tax
5 Attorneys. This partially signed agreement is attached in the interest of time. A fully signed
6 agreement will be produced upon request.

7 Based on the foregoing, the Trustee requests entry of an order authorizing the
8 employment of NewPoint Law Group, LLP as the bankruptcy estate's tax attorneys.

9
10 DATED: March 16, 2023

11 /s/ Kyle Everett
12 Kyle Everett,
Chapter 7 Trustee

13 DATED: March 16, 2023

14 FINESTONE HAYES LLP

15 /s/ Ryan A. Withans
16 Ryan A. Withans
Attorneys for Kyle Everett, Chapter 7 Trustee

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